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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: USSN: 10/561,648  
Hiroki Hibino, et al.  
Our Docket: 19444

Dear Sirs:

The Filing Receipt for the above-identified patent application does not include the Assignment for Published Patent Application. It should read as follows:

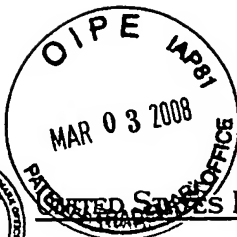
**Assignment for Published Patent Application  
Olympus Corporation Tokyo, Japan**

as indicated on the enclosed pages. Please make the corrections and send us a corrected Filing Receipt.

Very truly yours,

*[Signature]*  
Scully, Scott, Murphy & Presser, P.C.

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| APPLICATION<br>NUMBER | FILING or<br>371(c) DATE | GRP ART<br>UNIT | FIL FEE REC'D | ATTY. DOCKET NO | TOT CLAIMS | IND CLAIMS |
|-----------------------|--------------------------|-----------------|---------------|-----------------|------------|------------|
| 10/561,648            | 12/20/2005               | 1645            | 900           | 19444           | 11         | 2          |

CONFIRMATION NO. 7719

45307

SCULLY, SCOTT, MURPHY & PRESSER, P.C.  
400 GARDEN CITY PLAZA  
SUITE 300  
GARDEN CITY, NY 11530

FILING RECEIPT



Date Mailed: 01/15/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

**Applicant(s)**

Hiroki Hibino, Tokyo, JAPAN;  
Noriyuki Hoshikawa, Tokyo, JAPAN;

**Power of Attorney:** The patent practitioners associated with Customer Number 45307

**Domestic Priority data as claimed by applicant**

This application is a 371 of PCT/JP04/07383 05/28/2004

**Foreign Applications**

JAPAN 2003-270524 07/02/2003  
JAPAN 2004-135638 04/30/2004

**If Required, Foreign Filing License Granted:** 01/09/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/561,648**

**Projected Publication Date:** 04/17/2008

**Non-Publication Request:** No

**Early Publication Request:** No

**Title**

Culture Treatment Apparatus and Automatic Culture Apparatus

**Preliminary Class**

435

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Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

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**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

19444

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/JP2004/007383

INTERNATIONAL FILING DATE  
28 May 2004 (28.05.2004)

PRIORITY DATE CLAIMED  
2 July 2003 (02.07.2003)

## TITLE OF INVENTION

CULTURE TREATMENT APPARATUS AND AUTOMATIC CULTURE APPARATUS

## APPLICANT(S) FOR DO/EO/US

Hiroki Hibino and Noriyuki Hoshikawa

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☒ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☒ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

## Items 13 to 23 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV774347202US

|   |   |  |
|---|---|--|
| U.S. APPLICATION NO (if known, see 37 CFR 1.5)  | INTERNATIONAL APPLICATION NO.<br><b>PCT/JP2004/007383</b> | ATTORNEY'S DOCKET NUMBER<br><b>19444</b>                               |
| 23. Other items or information:<br><br>*Continuation of Priority Date claimed: 30 April 2004 (30.04.2004)<br>Nine (9) sheets of drawings<br>Assignee: Olympus Corporation of Tokyo, Japan   |   |  |
| The following fees have been submitted:   |   | <b>CALCULATIONS    PTO USE</b>   |
| 24. <input checked="" type="checkbox"/> Basic national fee ..... \$300  |   | \$       \$300.00  |
| 25. <input checked="" type="checkbox"/> Examination fee (37 CFR 1.492(c))<br>If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ... \$0<br>All other situations. .... \$200   |   | \$       \$200.00  |
| 26. <input checked="" type="checkbox"/> Search fee (37 CFR 1.492(b))<br>If the written opinion of the ISA/US or the international preliminary examination report by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ... \$0<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the as an International Searching Authority. .... \$100<br>International Search Report prepared by an ISA other than the US and provided to the previously communicated to the US by the IB. .... \$400<br>All other situations. .... \$500 |   | \$       \$400.00  |
| <b>TOTAL OF 24, 25 and 26 =</b>   |   | \$       \$900.00  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |   |  |
| Total Sheets  | Extra Sheets  | Number of each additional 50 or fraction thereof (round up to a whole) |
| 56 - 100 =  | 0 /50 =   | 0  |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).   |   | \$   |
| CLAIMS  | NUMBER FILED  | NUMBER EXTRA   |
| Total claims  | 11 - 20 =   | 0  |
| Independent claims  | 2 - 3 =   | 0  |
| MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00   |   | \$       \$0.00  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |   | \$       \$900.00  |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |   | \$       \$0.00  |
| <b>SUBTOTAL =</b>   |   | \$       \$900.00  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).   |   | \$       \$0.00  |
| <b>TOTAL NATIONAL FEE =</b>   |   | \$       \$900.00  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +   |   | \$       \$0.00  |
| <b>TOTAL FEES ENCLOSED =</b>  |   | \$       \$900.00  |
|   |   | Amount to be \$  |
|   |   | Amount to be \$  |